

**TOWN OF HAMILTON
BOARD OF SELECTMEN
APRIL 6, 2009**

The Board of Selectmen met at the Hamilton Town Hall at 7:01 p.m. on Monday, April 6, 2009 with Richard Low, David Carey, and William Bowler present. Consultant Pat Roselli, DPW Director John Tomasz, Acting Chief Robert Pomeroy and Town Administrator Candace Wheeler present.

EMS Planning Committee

The committee has met four times to address what level of emergency services should be provided, expected response times from first responders (BLS and ALS ambulance), who would be responsible for performance/ oversight of EMS system, what level of service/ role should Hamilton police and fire departments have going forward, what level of service should a private ambulance service provide, the annual revenue or expense for police department ambulance in last 12 months, what would it cost to move ambulance to fire department and what are the projected revenues and expenses for the EMS system. More detail is needed on finances.

The consensus is that the ambulance service should be advanced life support (ALS) as it is today with a private ambulance provider (currently Lyons). Response time with the police department's EMT responders is critical and should remain until ambulance transitions away from police department.

Since Lyons took over ambulance service in September there was 200 responses, 151 were transports 75% out of the usual 80%. With 25 calls the ambulance arrived on scene in two minutes, 24 calls on scene in nine to 10 minutes or 53% cumulative of all calls. For 90% of all calls Lyons ambulance has arrived on scene in 14 minutes in the last six months. He didn't have first responder information for this time period.

Before September the Hamilton police department ambulance and first responders arrived on scene within 5 minutes. This is typical for a community that has its own ambulance 90% of the time. Roselli said when a community uses an ambulance service that doesn't have a dedicated truck in Town the response time is between 10 and 14 minutes. First responders (police and fire) arrive on the scene before then. Ipswich has two dedicated trucks, one BLS (required to be on scene in 10 to 12 minutes) and one ALS (required to be on scene in 8 to 9 minutes).

Of the 151 transports in Hamilton, the primary complaints the ECO receives when calls come in are for respiratory distress and chest pain.

According to the billing agency, when the Hamilton police department ran the ambulance the total collected in FY2008 was \$172,000. The payment (fee for service) of \$28,000 went to Lyons ambulance to provide ALS service. The Town bills for an ALS patient that Lyons transported, Medicare requires one bill. Hamilton bills Medicare, Lyons invoices the Town. The net revenue to the Town in this period was \$143,000.

The expenses cost \$20,000 for the Town-run BLS ambulance including medical equipment and supplies, licensing, maintenance, fuel and insurance for the vehicle, and a \$10,000 fee the Town pays the ambulance billing service.

The personnel costs are the EMT stipends and overtime for the police department equaling \$73,000. The total expense was \$105,000. The revenue was \$130,000. This information provides a basis for assessing if the fire department should run the ambulance or should a private provider be hired. Roselli said there is a small return on the investment.

Carl Swanson of the committee said Roselli's analysis excludes the salary cost for the police. He doesn't believe the assumption that the police department can run the ambulance service without adding personnel two additional officers are required to run the emergency medical service. There are fringe benefit costs so the average salary for a patrolman is \$70,000 or \$140,000 for two. So the Town is negative \$100,000.

Roselli said there is ambiguity with the costs so there are three options: municipal based BLS service in Town run by police and/or fire, hybrid model of public and private run ambulance, and all private, contracted BLS/ALS ambulance. A dedicated, contracted BLS ambulance would cost \$500,000 a year. There is not enough revenue generated in one transport a day to offset the cost of the ambulance.

With this kind of expense a private provider has to recoup the cost. Lyons ambulance is proposing a BLS/ALS for four towns (Hamilton, Wenham, Topsfield and E. Boxford) at no cost. Action ambulance also presented a regionalized approach for nine communities with one service-zone plan RFP for an ALS service at no cost. AMR another provider in Newburyport had a similar proposal.

Roselli said Lyons provides ALS and BLS coverage for Wenham for \$48,000 a year from non-dedicated trucks in Beverly and Danvers. Lyons wants to maintain its coverage area. The five providers in the area are competing for contracts. To use a private truck the cost is unknown.

Another option is the fire department could become more involved in emergency medical service in Town. The department doesn't have an adequate number of EMTs or patient care experience. This could be transitioned in 12 to 18 months from the police to fire department. The recommendation is to have the full time and call fire fighters become 20 EMTs.

The other option is to talk to the three towns in addition to Hamilton to follow up on Lyons' proposal. There is space in Hamilton's public safety building for an ambulance. This would give time for the fire department to get trained. Roselli said this fits in well with the current resources. More financial analysis needs to be done. There was discussion about how more staff might be needed related to the fire department proposal. The town of Manchester operates an ambulance with call firefighters.

David Carey said the legal liability and regulatory risk in offering this kind of service is high so he is in favor of staying away from that. Bowler said this is an extremely complicated area in regard to what has to be provided. He said running the BLS ambulance is a second job for the police officers and he questioned their ability to run the ambulance as well as a company that only runs an ambulance.

There was a discussion about how the Town's ambulance license had been revoked for a year. Hamilton is depending upon the private ambulance service for the balance of the year. The Board will talk to Labor Attorney Jack Collins about the license appeal.

Police Regionalism

Hamilton is under pressure to decide if it wants to proceed with hiring a new chief or slow that process down to analyze if the Town should share the policing service with Wenham. Wenham is not under any time pressure.

Carey recommended the towns continue the exploration because Larry Swartz and he have developed a staffing plan and a noted law enforcement expert endorsed it. Sharing services would save Hamilton 20% of total staffing costs for police services.

In the next week Carey will have the Town's controller do a careful analysis to test the numbers and staffing plan to assess the potential savings in next year's budget. Then determine how difficult it would be to stop the search because another interim chief would have to be hired. Also, they need to identify administrative, facility, union, scheduling, etc. issues.

Acting Police Chief Robert Pomeroy said an interim chief could be found although stability is important. The question of the merger of the police department has to be

resolved before promotions and hiring in the department can be done (to build up reserves). This is time sensitive because of the police academy schedule. The longer the delay the more complicated the planning becomes. Pomeroy has organized a list of long-term projects that need to be undertaken by someone in the permanent position but they can't begin until there is permanence.

Carey said the staffing model is reasonable with 18 to 22 employees. Pomeroy agreed although 24 to 25 would be ideal. The Department of Revenue would recommend 22 based on all factors. The union contract is very complex and there are 168 hours in a week so it takes five individuals to staff one position as well as the overtime and vacation time considerations. A second opinion is needed on the numbers.

It was noted that there are financial and non-financial benefits to regionalization. Kalil Boghdan from the Police Screening Committee wanted a decision made about regionalization so a decision for a new chief would not be made with remaining interested candidates through attrition. Low suggested one more week be given to the process. He said Wenham's interest is predicated on there being substantial savings.

There was a discussion about how a ballot question could be put to the voters on this matter. Town Administrator Candace Wheeler said the Selectmen have the authority to make intermunicipal agreements. If the decision were put to a vote it would be in November.

Laurie Wilson and Jennifer Scuteri thought time should be taken to answer any questions and not be pressured by the current police chief search. Also that Wenham needs time to absorb this if there is a change in the selectmen. She thought the Wenham voters should have an opportunity to weigh in.

Pomeroy suggested if regionalization is going to be considered further the Town might want a longer-term interim chief. Bob Bullivant said the EMS decision affects the staffing model.

Low thought whether or not there are cost savings would provide direction. Carey said both towns would look at numbers and a decision will be made soon likely next week.

Custodial Services

There was a discussion about shared custodial services with Wenham. A supervisor would manage people who clean the Town facilities and do mechanical, electrical and carpentry work for 14 facilities in Hamilton and Wenham. Hamilton's share of the cost would be \$38,000 for 66 hours of work. Wenham would pay the same share. The

cleaning would be subcontracted except where the two towns already have workers they are comfortable working with.

DPW Director John Tomasz said this would create efficiencies. The two boards of selectmen would have to agree to the terms as well as the town counsels for both communities. The arrangement would be similar to the one in place for Building Inspector Charlie Brett who works for both towns and the two communities share the healthcare insurance cost.

It was thought that there would be savings and better service provided through shared custodial services. Once there is a final version of a contract and details such as which community would be the lead town are finalized and the Board hears from Wenham then the position could be advertised.

ATM Warrant

Low explained that the Board signed the warrant last Friday and sent it the printers. It will be mailed to households without the appendices (available at Town Hall, public safety building, library, online). The warrant hearing is scheduled for April 27.

Finalize and Sign Ballot Question

Low entertained a motion to sign a letter to Town Clerk Jane Wetson placing the Appendix A ballot question on the ballot for election to be held on May 14 at Winthrop School. Carey so moved. William Bowler seconded the motion. VOTE: Unanimous.

Request to Use Old Library – Hamilton Wenham Garden Club

Low entertained a motion to approve the request from the Hamilton Wenham Garden Club to use the old library on Saturday, May 16 from 9 a.m. to 12 p.m. Set up on Friday, May 15 from 3:30 to 6 p.m. subject to confirmation of insurance with the Town being named as additional insured. Carey so moved. Bowler seconded the motion. VOTE: Unanimous.

Wind Turbine Feasibility Study Contract

An additional \$8,000 is required for Meridian Associates to complete a wind turbine feasibility study on Sagamore Hill. The study will cost \$48,000 and \$40,000 will be paid for with a Massachusetts Technology Collaborative grant. Carey will sort out if the \$8,000 can be paid for by the Conservation Commission and paid back through a Clean

Energy fund grant or reserve fund transfer rather than seeking an appropriation at Town Meeting.

Volunteer Awards May 17, 2009

Wheeler will follow up with Senior Care to see if the Meals on Wheels drivers can be the Town's nominee for a volunteer award.

Landfill Funding

Low entertained a motion to approve the use of \$8,000 from EDC funds for further studies required on the landfill subject to a favorable recommendation from the Economic Development Committee. Carey so moved. Bowler seconded the motion. VOTE: Unanimous.

Open Meeting Law Inquiry and Response

The District Attorney had received a complaint about a violation of the Open Meeting Law by the Board of Selectmen. The Board failed to keep adequate records of its executive session meetings held in 2000. A response from the Town was provided that included copies of minutes. The DA confirmed that upon review of the minutes the Board's records were in compliance of the Open Meeting Law.

Engagement Letter – Hayes Report Inquiry

The Board received an engagement letter from Attorney Tom Urbelis relating to the Hayes report inquiry actions taken by Town Counsel Donna Brewer MacKenna relative to the Officer Michael Marchand matter.

Urbelis said the scope of the work would be to review actions of Hamilton Town counsel relating to events described in the Pomeroy and Hayes reports and make recommendations to the Selectmen.

Bowler said this is to provide advice not for reinvestigation. Urbelis should address questions at hand and make legal recommendations. Collins made legal recommendations based on facts (i.e., members of the police union).

Low entertained a motion to authorize him as chairman to sign the agreement of general representation and hour fees agreement with Thomas J. Urbelis, dated April 3, 2009. Carey so moved. Bowler seconded the motion. VOTE: Unanimous.

Minutes Approval

Low entertained a motion to approve the regular session minutes for December 15 and 29, 2008. Carey so moved. Bowler seconded the motion. VOTE: Unanimous.

Low entertained a motion to go into executive session not to return to open session at 9:14 p.m. for the purpose of discussing union contract negotiations and continuing the Pomeroy Report Hearings in relation to Officers Hatfield and Wallace. Carey so moved. Bowler seconded the motion. VOTE: Unanimous.

Respectfully submitted by Jane Dooley, Minutes Secretary

ATTEST: _____
Clerk